



City of Muscatine

ZONING BOARD OF ADJUSTMENTS

Tuesday, October 4, 2022

The Zoning Board of Adjustments meets on the 1st Tuesday of each month at 5:30 p.m. in City Hall Council Chambers.

To participate in this meeting go to the following link:

<https://meet.goto.com/848253901>

You can also dial in using your phone:

United States: +1 (872) 240-3212

Access Code: 848-253-901

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. MISSION STATEMENT

4. DISCUSSION ITEMS

A. Approval of August 2, 2022 Minutes

5. VARIANCE APPEAL

- A. ZBAV0002-2002 filed by Jose Martinez to allow a 320-sf garage to be converted into a bedroom located at 1305 E 5th St. In residential districts, accessory buildings and uses are limited to garages per Section 10-20-3 (D)(1) of City Code.
- B. ZBAV0003-2022 filed by Edward Gerdtz to allow a construction of a 1440 sq. ft. garage located at 2026 Breese Ave. The property currently has a garage

consisting of 432 sq. ft. Once the new garage is constructed, the existing garage will be removed. The proposed garage would cause the property to exceed, 1,872 square feet, the 1,440 maximum cumulative square footage of all accessory buildings and attached garages allowed by Section 10-20-2 (A) of City Code. The variance requesting to allow for change in setback of the garage. For every 25 ft., that an accessory building exceeds 1,440 sq. ft. in size an additional 1-foot setback is required. The structure will not meet the setback requirements by Section 10-20-3 (F) of City Code. The garage will be placed 5 ft from the rear property line. Per Section 10-6-3(C)(2) of City Code the setback needs to be 6 ft.

- C. ZBAV0004-2022 filed by Ricardo & Jasmine Jara to allow the construction of a 30x30 home addition located at 1610 Mulberry Ave. The addition will be placed 9 ft from the rear property line. Per Section 10-6-3(D) of City Code the setback needs to be 25 ft. The room will be used as a recreational, gym, and craft area.

6. CONDITIONAL USE

- A. ZBACU0001-2022 filed by Cory and Kristen Haller to allow for a temporary home-based business located at 1425 Grand Ave for a beauty shop allowed by Section 10-6-2 (M) of City Code.

7. ADJOURNMENT

MINUTES
August 2, 2022 – 5:30 p.m.
Zoning Board of Adjustment
Muscatine City Hall – City Council Chambers

Present: Jodi Hansen, Nancy Jensen, Robert McFadden, Larry Murray and Julie Wolf

Excused:

Staff: April Limburg, Planner, Community Development
Christa Bailey, Office Coordinator, Community Development

Chairperson Jodi Hansen opened the meeting at 5:30 p.m. and read the mission statement.

Minutes:

Julie Wolf motioned to approve the minutes submitted for the July 5, 2022 meeting; seconded by Robert McFadden. All ayes, motion carried.

Variance Appeal Cases:

Variance Appeal No. 57 was filed by Natividad and Carmen Santana to allow for an alteration of the number of hard surfaced parking spots required to be on the property located at 710 Lombard St for the proposed conversion of the existing single-family home into a duplex. In order to convert the single-family home into a duplex a total of 4 parking spots are required to be on the property per City Code Section 10-27-2, which must be hard surfaced per City Code Section 10-27-8(A).

Victor Santana, 409 Liberty St, was present to discuss the appeal request on Natividad and Carmen Santana's behalf, which was continued from the July 5, 2022 meeting. Mr. Santana provided the Board members an aerial view of the property to show the locations of the proposed parking spots which included two parking spots along the side of the residence next to the alley and two parking spots in the backyard. Julie Wolf questioned whether there would be a driveway to the parking spots and Mr. Santana explained that a hard surfaced driveway would be installed to meet City Code requirements.

April Limburg shared that Mike Hartman, the Fire Marshall, voiced some concerns with the parking spot located in front of the basement window well due to potential egress issues or issues with accidentally driving into the window well. Robert McFadden suggested the possibility of placing three parking spots in the backyard and one parking spot along the side of the house to eliminate Mr. Hartman's concerns. Mr. Santana stated he was unsure whether the three parking spots would be feasible in the backyard. The Board members concluded that three parking spots in the backyard would be preferable to avoid Mr. Hartman's concerns but if that option is not viable then they would allow two parking spots along the side of the house but they suggest placing some type of barrier or handrail to keep vehicles from driving into the window well or blocking the basement egress.

Jodi Hansen inquired if any feedback or communication had been received from the surrounding neighbors, to which April Limburg replied no.

Robert McFadden motioned to approve the variance appeal; seconded by Julie Wolf. All ayes, motion carried.

Variance Appeal No. 01-2022 was filed by Muscatine Plaza Properties to allow construction of a 1,872 sq. ft. garage addition located at 1411 Buell St. The property currently has a two-car garage consisting of 936 sq. ft. There is a metal lean to on the current building which will be removed to allow for the construction of the addition to both sides of the existing structure. The property is a non-conforming property as there is no residence located on it. The proposed garage would cause the property to exceed, 1,368 square feet, the maximum cumulative square footage of all accessory buildings and attached garages allowed by Section 10-20-1(A) of City Code. The variance requesting to allow for change

in setback of the garage. For every 25ft. that an accessory building exceeds 1,440 sq. ft. in side an additional 1-foot setback is required. The structure will not meet the setback requirements by Section 10-20-3(F) of City Code.

Mike Steele, 2316 Stonebrook Dr, the owner of Muscatine Plaza Properties was present to discuss the appeal request. Mr. Steele explained that he purchased the property at 141 Buell St several years ago to use the accessory building to store equipment for his rental property management business and now he hopes to expand the current building to make a six-car garage for more storage space. As part of the proposed addition Mr. Steele shared that they intend to repave the driveway on the property as well.

Julie Wolf motioned to approve the variance appeal; seconded by Nancy Jensen. All ayes, motion carried.

Meeting adjourned at 5:45 p.m.

ATTEST:

Respectfully Submitted,

Jodi Hansen, Chairperson
Zoning Board of Adjustment

April Limburg, Secretary
Planner I



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

MEMORANDUM

To: Zoning Board of Adjustments
From: April Limburg, Planner
Date: September 23, 2022
Re: Variance Appeal No. ZBAV0002-2022

INTRODUCTION: Variance Appeal No. ZBAV0002-2022, to convert a 320-sf garage into a bedroom located at 1305 E 5th St.

BACKGROUND: An appeal was filed by Jose Martinez to allow a 320-sf garage to be converted into a bedroom. In residential districts, accessory buildings and uses are limited to garages per Section 10-20-1(D)(1) of City Code. A variance would be required to convert the garage into a bedroom

The applicant is currently working with the Building Department as there are several issues with the current garage as it stands. The garage will be attached to the room and will be required to conform with the current building standards.

Site plan is attached.





APPEAL FOR VARIANCE APPLICATION

Community Development Department • Planning and Zoning • Zoning Board of Adjustment
215 Sycamore St Muscatine, IA 52761 • PH 563.262.4141 • FAX 563.262.4142
www.muscatineiowa.gov/26/Community-Development

PROPERTY INFORMATION

Property Address: 1305 E 5th St Muscatine IA 52761
Owner Name: Jose Martinez Business Name: _____
Address: 1305 E 5th St Muscatine IA 52761
Phone: 563-299-4239 Email: Hatehians13@gmail.com

APPEAL INFORMATION

Proposed Variance Description for Appeal: _____
- convert 320 sq ft garage to a bedroom - will attach current
garage to home.
- has discussed building requirements with building
inspectors

SUBMISSION REQUIREMENTS

APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE MEETING FOR ACTION TO BE TAKEN.

Application must be submitted two weeks prior to meeting date. Board meets the first Tuesday of each month.

If applicable, a Site Plan must be submitted with the application.

FILING FEE IS \$150.00

SIGNATURE

I hereby certify all the information submitted above is correct, I acknowledge that I reviewed this application and provided all required documents if necessitated.

Appellant Signature: [Signature] Date: 08-25-22

OFFICE USE ONLY

Date Filed: 8/25/2022 Date Fee Paid: 8/25/2022 Receipt No.: _____
Appeal Case No.: ZBAV0002-2022 Meeting Date: 10/4/2022
Property is located on Lot 4 Block 3 Addition Brogen's Add in the R3 Zoning District.

Appeal for Variance Requirement Explanation: _____

Approved by: _____ Date Approved: _____ Date Notice Sent: _____

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

MEMORANDUM

To: Zoning Board of Adjustments
From: April Limburg, Planner
Date: September 27, 2022
Re: Variance Appeal ZBAV0003-2022

INTRODUCTION: Variance Appeal ZBAV0003-2022 to allow a construction of a 1,440 sq ft. garage located at 2026 Breese Ave.

BACKGROUND: An appeal was filed by Edward Gerdt to allow a construction of a 1440 sq. ft. garage located at 2026 Breese Ave. The property currently has a garage consisting of 432 sq. ft. Once the new garage is constructed, the existing garage will be removed. The proposed garage would cause the property to exceed, 1,872 square feet, the 1,440 maximum cumulative square footage of all accessory buildings and attached garages allowed by Section 10-20-2 (A) of City Code. The variance requesting to allow for change in setback of the garage. For every 25 ft., that an accessory build exceeds 1,440 sq. ft. in size an additional 1 foot setback is required. The structure will not meet the setback requirements by Section 10-20-3 (F) of City Code. The garage will be placed 5 ft from the rear property line. Per Section 10-6-3(C)(2) of City Code the setback needs to be 6 ft.

Site plan is attached.





APPEAL FOR VARIANCE APPLICATION

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www.muscatineiowa.gov/26/Community-Development

PROPERTY INFORMATION

Property Address: 2026 BREESE AVE
Owner Name: Edward Gerdtz Business Name: _____
Address: 2026 BREESE AVE
Phone: 563 260 1245 Email: _____

APPEAL INFORMATION

Proposed Variance Description for Appeal: 36' x 40' x 10' Garage - pole barn
old building will come down after new is built.
10 ft from house 1440 sf
5 ft from fence need 6 ft setback 10-6-3(c)(2)
30 ft from road
10-20-3(f)
Current garage 432 sf

SUBMISSION REQUIREMENTS

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Application must be submitted two weeks prior to meeting date. Board meets the first Tuesday of each month.
If applicable, a Site Plan must be submitted with the application.

FILING FEE IS \$150.00

SIGNATURE

I hereby certify all the information submitted above is correct, I acknowledge that I reviewed this application and provided all required documents if necessitated.

Appellant Signature: Edward L Gerdtz Date: 9/5/22

OFFICE USE ONLY

Date Filed: 9/6/2022 Date Fee Paid: 9/6/2022 Receipt No.: _____
Appeal Case No.: 2BAV 0003-2022 Meeting Date: 10/4/2022
Property is located on Lot 30 Block 3 Addition S Park Add in the 23 Zoning District.

Appeal for Variance Requirement Explanation: _____

Approved by: _____ Date Approved: _____ Date Notice Sent: _____

Muscatine Area Geographic Information Consortium (MAGIC)



Parcel ID	1303454001	Alternate ID	RMCMUU-1303454001	Owner Address	GERDTS EDWARD L OR CHRISTOPHER L
Sec/Twp/Rng	n/a	Class	R		2026 BREESE AVE
Property Address	2026 BREESE AVE	Acreage	n/a		MUSCATINE, IA 52761
	MUSCATINE				
District	MCMUU				
Brief Tax Description	3-76-2W LOT 30 BLK 3 S PARK ADD				
	(Note: Not to be used on legal documents)				

Date created: 8/24/2022
 Last Data Uploaded: 8/23/2022 11:31:37 PM

Developed by  **Schneider**
 GEOSPATIAL

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

MEMORANDUM

To: Zoning Board of Adjustments
From: April Limburg, Planner
Date: September 23, 2022
Re: Variance Appeal No. ZBAV0004-2022

INTRODUCTION: Variance Appeal No. ZBAV0004-2022, to construct a 30x30 home addition located at 1610 Mulberry Ave.

BACKGROUND: An appeal was filed by Ricardo & Jasmine Jara to allow the construction of a 30x30 home addition located at 1610 Mulberry Ave. The addition will be placed 9 ft from the rear property line. Per Section 10-6-3(D) of City Code the setback needs to be 25 ft. The room will be used as a recreational, gym, and craft area.

The applicant was also advised, the two parcels will need to be combined before the addition can be built as the addition can't be built across the property line.

The applicant has not submitted the plans for the home addition. The addition will need to meet current building standards. An application and plans will need to be submitted to the Building Department before any construction can occur.

Site plan is attached.





APPEAL FOR VARIANCE APPLICATION

Community Development Department • Planning and Zoning • Zoning Board of Adjustment
215 Sycamore St Muscatine, IA 52761 • PH 563.262.4141 • FAX 563.262.4142
www.muscatineiowa.gov/26/Community-Development

PROPERTY INFORMATION

Property Address: 1610 Mulberry Ave, Muscatine
Owner Name: Ricardo & Jasmine Jara Business Name: _____
Address: 1610 Mulberry Ave, Muscatine, IA
Phone: 563-554-4594 Email: celticsjara@gmail.com

APPEAL INFORMATION

Proposed Variance Description for Appeal: Home addition - 30'x30', 9' from property line on west side of house. Will be utilized as rec room, gym, craft area.

SUBMISSION REQUIREMENTS

APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE MEETING FOR ACTION TO BE TAKEN.
Application must be submitted two weeks prior to meeting date. Board meets the first Tuesday of each month.
If applicable, a Site Plan must be submitted with the application.
FILING FEE IS \$150.00

SIGNATURE

I hereby certify all the information submitted above is correct, I acknowledge that I reviewed this application and provided all required documents if necessitated.

Appellant Signature: [Signature] Jasmine Jara Date: 9/19/22

OFFICE USE ONLY

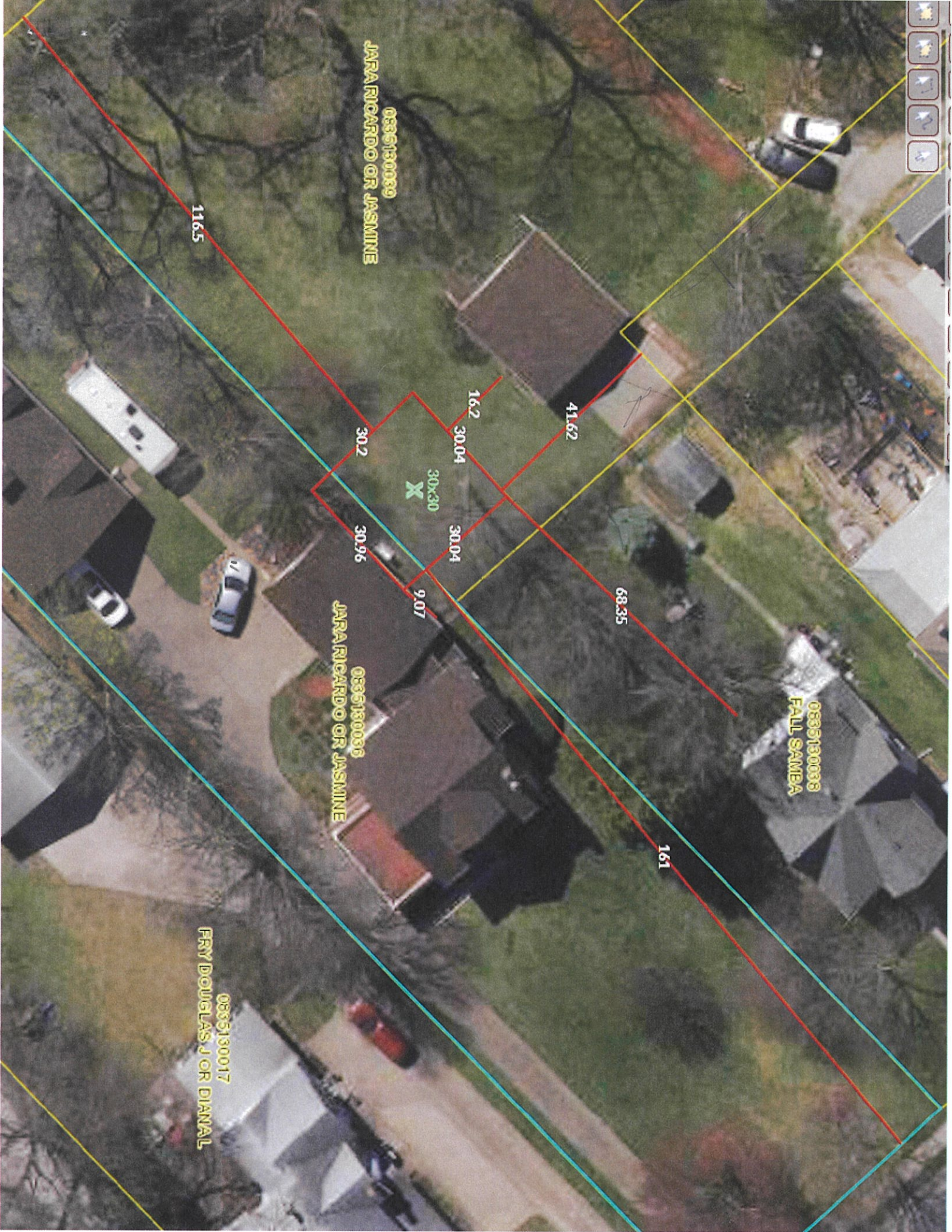
Date Filed: 09/19/22 Date Fee Paid: 150.00 09/19/22 Receipt No.: _____

Appeal Case No.: 2BAV0004-2022 Meeting Date: Oct 4 2022

Property is located on Lot 15 Block _____ Addition Fletcher & Dohler's Add in the R3 Zoning District.

Appeal for Variance Requirement Explanation: _____

Approved by: _____ Date Approved: _____ Date Notice Sent: _____



0835130039
JARA RICARDO OR JASMINE

116.5

41.62

16.2

30.04

30x30

30.2

30.04

30.96

9.07

68.35

0835130039
JARA RICARDO OR JASMINE

0835130038
FALL SAMBA

161

0835130017
FRY DOUGLAS J OR DIANAL

COMMUNITY DEVELOPMENT

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

MEMORANDUM

To: Zoning Board of Adjustments
From: April Limburg, Planner
Date: September 27, 2022
Re: Conditional Use No. ZBACU0001-2022

INTRODUCTION: Conditional Use No. ZBACU0001-2022, to allow a temporary home-based business located at 1425 Grand Ave.

BACKGROUND: A conditional use was filed by Cory & Kristen Haller to allow a temporary home base business located at 1425 Grand Ave. The applicant would like to use the front room of the house to cut hair. The front room has a door shutting the room off to the rest of the house. The temporary use would be for hair cutting only and other hair saloon services will not be performed. The operating hours will be from 8 am to 5 pm. There is on street parking available as well as three spots behind the home in the alley.

Having a home-based business is not a permissive use per City Code section 10-6-1.

Per City Code Section 10-6-2(M) Barber of beauty shop within an owner-occupied home that:

1. It consists of one (1) single chair;
2. Has a minimum of two (2) off-street starting parking stalls for this chair;
3. Otherwise complies with the definition of the Home Occupation (10-32-1).

Site plan is attached.



0625329007
HALLER CORY E

0625329010
HALLER CORY OR KRISTEN

and Ave



CONDITIONAL USE APPLICATION

City of Muscatine, Iowa • Community Development Department
Planning and Zoning • Zoning Board of Adjustment
215 Sycamore St Muscatine, IA 52761-3840
(563)262-4141 • FAX (563)262-4142
www.muscatineiowa.gov/26/Community-Development

AUG 31 2022
Kf

PROPERTY INFORMATION

Property Address: 1425 Grand Avenue Parcel ID: _____
Owner Name: Cory Haller, Kristen Haller (hairstylist)
Address: 1425 Grand Avenue Muscatine, IA
Phone: 563-607-1116 Email: lateiswhatyoumakeit@hotmail.com

PROPOSED USE INFORMATION

Description of Proposed Use: I would like to use my front room temporarily to cut hair, as it's the first room into my home. It has a door shutting it off from the rest of the house. I will be the only one cutting hair, no chemical services, only haircutting. I'd like to operate from the hours of 9am-5pm and I only need this conditional use until May 1st, 2023.

NOTES

APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE MEETING FOR ACTION TO BE TAKEN.

Application must be submitted two weeks prior to meeting date. If the applicant does not own the subject property, written authorization from the property owner consenting approval for the applicant to apply for this conditional use permit must be submitted for this application to be considered complete. If applicable, a Site Plan must be submitted with the application.

The Zoning Board of Adjustment meets the First Tuesday of each month.

FILING FEE IS \$200.00

SIGNATURE

I hereby certify all the information submitted above is correct and, I acknowledge that I reviewed this application and provided all required documents if necessitated.

Applicant Signature: Kristen Haller Date: 8/31/22

OFFICE USE ONLY

Date Filed: _____ Date Fee Paid: 8/31/2022-Kf Receipt No.: _____
Conditional Use Case No.: 2BACU0001-2022 Meeting Date: 10/4/2022
Property is located on Lot 20 Block 6 Addition Park Place Add in the R3 Zoning District.
Proposed Use is Classified as a Conditional Use as Per City Code Section _____